

## **RESPONSE TO THE REJECTION**

A proposed response to the objections to the drawings is attached as a redline drawing. Upon the Examiner's agreement that these changes accomplish what the Examiner requires, formal drawings will be submitted.

### **The Rejection of claims 1-4 and 15-24 under 35 USC 102(b) as anticipated by Takahashi (JP 06-118811)**

Although the Takahashi reference (especially Figure 4) cited by the Examiner, shows a set of elements 5 that are truly electrically insulated from each other, these elements are not the electrically conductive layer, but rather are the electrodes (5) embedded in the electrically conductive layer (3). Additionally, even though these electrodes 5 are embedded in the conductive layer 3, this structure does not meet the last limitation of claim 1 that:

“the electrically conductive layer has segments between which segments there is reduced conductivity.”

Because the electrically conductive layer 3 of Takahashi is continuous beneath the electrodes and of uniform composition and thickness, there is a substantially uniform conductivity. The segments are not electrically isolated, as is recited now in all claims.

The structure provided by Takahashi has a continuous underlayer of conductive material in all examples shown in the specification and figures. A continuous layer of conductive material does not produce electrically isolated regions, as there is electrical conductivity between each of the parts of the continuous layer. Although the spacing of electrodes gives a physical appearance of segmentation, there can not be the functionally described electrical isolation recited in all claims of the present application in those visually separated regions of Takahashi. The rejection under 35 USC 102(b) cannot apply to the claims as amended.

The limitation of “electrically isolated” is believed to be present in every independent claim, so this argument applies to every claim in the application.

Claims 5 and 7-12 Have Been Rejected under 35 U.S.C. 103(a) As Unpatentable over  
Takahashi in view of Takahata (U.S. Patent No. 6,112,038)

Even assuming that Takahata discloses all of the information and teachings for which it has been cited in this rejection, which is not conceded, those teachings do not correct the underlying deficiencies of the Takahashi reference in failing to teach the “electrically isolated regions.” As that concept and its effects have not been taught by references cited in this rejection, the rejection must fail.

**CONCLUSION**

The present Application is now believed to be in condition for Examination and Allowance.

Respectfully submitted,

LEONARD STULC, et al.

By Their Representatives,

MARK A. LITMAN & ASSOCIATES, P.A.


York Business Center, Suite 205

3209 West 76<sup>th</sup> Street

Edina, Minnesota 55435

(952) 832-9090

Date: 22 August 2005

By:   
Mark A. Litman  
Reg. No. 26,390

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop: Amendment; Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on 22 August 2005.

Mark A. Litman  
Name

  
Signature